

Notice of Allowability

Application No.

09/805,195

Examiner

Lewis G. West

Applicant(s)

MOONEY, PHILIP D.

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to phone interview with applicant 10/25/07.
2. ☒ The allowed claim(s) is/are 9-12 and 14-17.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

LEWIS WEST

**PRIMARY EXAMINER
DIVISION 2618**

EXAMINER'S AMENDMENT

An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on 10/25/07, Michael Selter requested an extension of time for 1 MONTH(S) and authorized the Director to charge Deposit Account No. 50-0687 the required fee of \$120 for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Selter on October 25, 2007.

The application has been amended as follows:

Claims 1-8 are cancelled.

In claim 9, the word --automatically-- has been removed

In claim 10, --claim 8-- has been replaced by "claim 9"

In claim 10 --said audio is BLUETOOTH audio -- has been replaced with "said piconet network is BLUETOOTH compliant"

In claim 11, --claim 8-- has been replaced by "claim 9"

Art Unit: 2618

In claim 12, --claim 8-- has been replaced by "claim 9"

Claim 13 is cancelled.

In claim 14, the word --automatically-- has been removed

In claim 15 --said audio is BLUETOOTH audio -- has been replaced with "said piconet network is BLUETOOTH compliant"

In claim 16, --claim 8-- has been replaced by "claim 9"

In claim 17, --claim 8-- has been replaced by "claim 9"

Claims 18-23 are cancelled.

Allowable Subject Matter

Claims 9-12 and 14-17 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art disclose forwarding of calls in different types of wireless systems, and that piconets, including BLUETOOTH piconets may be used in accordance with the cordless telephony profile and intercom profile in order to change the device at which a call is being carried out, as well as that a gateway device may be established with a larger network, said gateway passing call data and function to other piconet devices, such as in the previously cited BELL reference wherein a piconet Intercom function is used to establish a group call. The present invention includes a method of remotely answering an incoming call to a cellular phone over a piconet comprising: establishing a piconet network comprising said cellular telephone and a remote telephone piconet device in direct communication, said cellular telephone being adaptable to operate as a PSTN gateway and comprising a piconet front end; allowing said incoming call to said cellular telephone to be answered over a piconet network by another

Art Unit: 2618

telephone device instead of the cellular phone; and performing call establishment function from said cellular telephone under control of said remote telephone piconet device. When incorporating all the of the limitations of the claims, none of the prior art teaches the features as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis G. West whose telephone number is 571-272-7859. The examiner can normally be reached on Monday-Friday 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 09/805,195

Page 5

Art Unit: 2618

A handwritten signature in black ink, appearing to read 'L. West', with a long horizontal flourish extending to the right.

Lewis G. West
Primary Examiner
Art Unit 2618